

SECTION 11: COMMERCIAL ZONES

Section 11.0: Purposes

In addition to the objectives outlined in Section 1 (Purposes and Scope), the Commercial Zones are included in the Zoning Regulations to achieve the following purposes:

- A. To provide appropriately located areas for office uses, retail stores, service establishments, and wholesale business, offering commodities and services required by residents of the ~~County~~ **TOWN** and its surrounding market area.
- B. To encourage office and commercial uses to congregate for the convenience of the public and for a mutually beneficial relationship to each other.
- C. To provide adequate space to meet the needs of modern commercial development, including off-street parking and loading areas.
- D. To minimize traffic congestion and to avoid the overloading of utilities.
- E. To protect residential and other commercial properties from noise, odor, smoke, unsightliness, and other objectionable influences incidental to commercial uses.
- F. To promote high standards of site planning architecture and landscape design for office and commercial developments within ~~Cocoonino County.~~ **THE TOWN.**

CN-2/A - Commercial Neighborhood Zone

This zone is intended for neighborhood shopping centers which provide limited retail business, service and office facilities for the convenience of residents of the neighborhood. These shopping centers are intended to be compatible with a residential environment at locations ~~indicated on the General Plan or on an adopted Specific Plan for an individual community.~~ **CONSISTENT WITH THE TUSAYAN AREA PLAN.**

CG-10,000 - Commercial General Zone

This zone is intended for the location of general retail and wholesale commercial activities.

CH-10,000 - Commercial Heavy Zone

This zone is intended to provide appropriately located areas for establishments catering primarily to highway travelers, visitors to the ~~County~~ **TOWN** or such businesses or uses where direct access to major arterial highways is essential or desirable for their operation.

Section 11.1: Permitted and Conditional Uses

The following uses shall be permitted where the symbol “P” appears and shall be permitted uses subject to a conditional use permit where the symbol “C” appears in the column beneath each zone designation. All uses not listed are prohibited. For uses similar to those listed, see Section 20.1.

A. Office and Related Uses CN-2/A CG-10,000 CH-10,000

1. Administrative, professional executive offices	P	P	P
2. Financial institutions	P	P	P
3. Medical, dental and related health services for humans including laboratories and clinics; only the sale of articles clearly incidental to the services provided shall be permitted	P	P	P
4. Public utility service offices	P	P	P

B. General Commercial Uses CN-2/A CG-10,000 CH-10,000

1. Amusement arcades	-	P	P
2. Appliance and hardware stores	€ P	P	P
3. Auction houses/stores, OUTDOOR SALES/DISPLAY	-	C	C
4. AUCTION HOUSES/STORES, INDOOR SALES/DISPLAY	-	P	P
5. Auto lubrication and oil change operation	-	C	C
6. Automotive repair garage	-	C	C
7. Automotive service station	C	C	C
8. Automobile sales and services, including rental agencies	-	C	C
9. Bakeries, wholesale	-	€ -	C
10. Boat and camper sales and services	-	C	C
11. Bowling alleys and billiard halls	-	€ P	€ P
12. Campgrounds	-	C	C
13. Car washes	-	C	C
14. Ceramic studio with outdoor kiln	-	€ -	C
15. Cocktail lounges and bars	-	€ P	€ P
16. Contractor's yards	-	C	C
17. Convenience market	€ P	€ P	P
18. Drive-in restaurants	-	P	P
19. Drive-in theaters	-	€ -	C
20. Dry cleaners	-	P	P
21. Farm implement and machine sales, rental and repairs	-	C	C
22. Feed stores	-	C	C
23. General retail business establishments, except for Large Retail Establishments as defined in Section 8, engaged in selling goods or services to the public provided that such uses are conducted entirely within an enclosed building	P	P	P
24. Hotels and motels	-	€ P	P
25. Large retail establishments as defined in Section 8 (establishments over 70,000 square feet are prohibited)	-	C	C

B. GENERAL COMMERCIAL USES (CONTINUED)

CN-2/A CG-10,000 CH-10,000

26. Laundry pick-up and delivery agencies	€ -	€ P	€ P
27. SELF-SERVICE LAUNDRY	P	P	P
28. Mortuaries	-	€ P	P
29. Motorcycle, ATV , sales, and service AND RENTAL	-	C	C
30. Nurseries and garden supply stores	C	C	C
31. Public storage facilities (mini-storages)	C	C	P C
32. Recreational vehicle sales and service	-	C	C
33. Recreational vehicle and travel trailer parks	-	C	C
34. Restaurants conducted within a building including sale of alcoholic beverages	C	P	P
35. Skating rinks	-	C	P
36. Stone and monument yards	-	C	C
37. Theater	C	€ P	€ P
38. Tire sales and service	-	C	P C
39. Truck and trailer rental, sales and service	-	C	C
40. Veterinarian office and small animal hospitals	-	C	P
41. Vehicular storage yards (not including auto wrecking yards)	-	C	C
42. Warehousing	-	P	P
41. Canopies over gasoline pumps	C	C	C
43. Solid waste hauler's yard	€ -	€ -	C
44. Wireless Telecommunications Facilities subject to the provisions of Section 14.5	C	C	C
45. Medical marijuana dispensaries subject to the provisions of Section 14.9.	-	P	P
46. Medical marijuana cultivation and infusion facilities Subject to the provisions of Section 14.9	-	-	C
47. RESTAURANTS WITH OUTDOOR DINING	C	C	C
48. APARTMENTS, WHEN LOCATED ABOVE THE FIRST FLOOR OF THE BUILDING	C	P	P
49. DOG KENNEL, OUTDOOR RUNS/PENS	-	C	C
50. DOG KENNEL, INDOOR RUNS/PENS	-	P	P

C. Public and Semi-Public Uses

CN-2/A CG-10,000 CH-10,000

1. Day care centers and preschools	€ P	C	€ -
2. Churches	- P	€ P	€ P
3. Clubs and lodges including YMCA, YWCA and similar youth group uses	- C	C	€ P
4. Commercial trade or vocational schools	C	P	P
5. Convalescent homes and hospital	-	C	C
6. Educational institutions, public or private	-	C	C
7. Libraries and museums, public or private	C	€ P	€ P

8. Parks and recreational facilities, public or private, including tennis, racquetball and handball clubs and facilities	C	€ P	€ P
9. Post office branch	P	P	P
10. Public/ PRIVATE utility installations	C	C	C

D. Accessory Uses CN-2/A CG-10,000 CH-10,000

1. Accessory uses and structures located on the same site as a permitted use	P	P	P
2. Accessory uses and structures located on the same site as a conditional use	C	C	C
3. A single family residence established as an integral part of the commercial operation, for exclusive use by the owner/operator of the business	C	€ P	€ P
4. Accessory retail propane sales, tanks 2000 gallons or less, subject to the issuance of a building permit	-	P	P
5. Metal Storage Containers	See Section 14.7		

E. Temporary Uses CN-2/A CG-10,000 CH10,000

Temporary uses as prescribed in Section 14.1	P	P	P
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F. Other Uses

Other commercial, office or service uses as may be determined by resolution of the Planning and Zoning Commission to be consistent with the purposes indicated in Section 11.0 and similar to and no more detrimental than existing permitted or conditional uses in any commercial zone. Such other uses shall meet the performance standards outlined in Section 11.3.

Section 11.2: Property Development Standards: Commercial Zones

The following property development standards shall apply to all land and buildings permitted in their respective commercial zones, except that, any lot shown on an official subdivision map that was duly recorded, or any lot for which a bona fide deed was duly recorded in conformance with the zoning in effect prior to the date of adoption of this ordinance, may be used as a building site. For access purposes each building site shall have a minimum 30 foot wide easement or right-of-way. A turnaround with a minimum radius of 25 feet shall be provided at the end of each easement over 150 feet in length. No fences or other obstructions shall be placed in the easement area except with written permission of all other property owners served by the easement. For any parcel of land created after January 3, 1995, an access road to the parcel must be provided prior to the delivery of any combustible building materials. Said access road must be constructed to ~~the standards found in Ordinance Number 95-1, the Ordinance for Road Standards. AN ALL WEATHER STANDARD.~~

A. Special Requirements

1. Procedure for the Establishment of CN-2/A Zones

Preliminary Development Plans. The application for a CN-2/A Zone classification shall be accompanied by a preliminary development plan consisting of maps, drawings and such other materials necessary to show:

- a. The approximate size, shape and location of all proposed buildings and the intended uses of all buildings;
- b. The on-site parking arrangements and design, including loading areas;
- c. The proposed signing policy for all proposed uses;
- d. The location and treatment of required and proposed landscape areas;
- e. The proposed off-site circulation pattern including right-of-way dedications, street improvements, traffic control measures, location and design of driveway openings, and acceleration/deceleration lanes;

~~(6) Market analysis showing the need for the shopping center at the location requested and the inadequacy of existing zoned sites to meet this need.~~

The preliminary development plan is required to enable the Commission and the ~~Board of Supervisors~~ **TOWN COUNCIL** to assess the impact of the proposed shopping center on surrounding uses, its relationship to the objectives of the ~~General Plan~~, **TUSAYAN AREA PLAN** its relationship to zoning patterns in the neighborhood, and to permit public agencies and utility services to review the adequacy of proposed improvements and the impact of the development on existing and proposed utilities and facilities.

Adoption of Development Plans. The development plans shall be approved by the ~~Board of Supervisors~~ **TOWN COUNCIL** and incorporated into the approval of the CN-2/A Zone.

The above procedures shall not apply to the establishment of a CN-2/A Zone classification at an existing neighborhood shopping center.

B. General Requirements: The following requirements are minimums unless otherwise noted.

	<u>CN-2/A</u>	<u>CG-10,000</u>	<u>CH-10,000</u>
1. Building site, square feet or acres	2 acres	10,000 sf	10,000 sf
2. Lot width, in feet	200	60	50
3. Lot depth, in feet	150	100	100
4. Front yard, in feet	20	20	20
5. Side yard-interior, in feet	10	-	-
6. Side yard-interior and rear yard, in feet, adjacent to G, AR, RR, RS or RM Zones	20	20	20
7. Side yard-street side, in feet	10	20	20
8. Rear yard, in feet	10	0	0

9. Lot coverage, maximum	35%		
10. Structure height, maximum, in feet	35	35	50 40
11. Off-street parking		See Section 15	

All setbacks shall be measured from property lines. In situations where an access easement is located along a property line, the setback shall be measured from the interior edge of any access easement line. Where an access easement bisects any parcel of land, said easement shall be considered a street for setback purposes and street side setbacks shall apply.

Section 11.3: Performance Standards: Commercial Zones

A. Trailers, **PARK MODELS, OR** manufactured ~~or mobile~~ homes shall be permitted for temporary office use only during construction of a permanent building for a period not to exceed 12 months with an approved Temporary Use Permit. Modular homes built to UBC (Uniform Building Code) Commercial Standards shall be permitted.

B. In all commercial zones, required front and street side yards shall be landscaped to a depth of not less than ~~10~~ 6 feet. Remaining front and street side yard areas or setbacks may be used for required off-street parking.

C. Where a commercial or office use abuts property in any G, AR, RR, RS or RM Zone, a masonry wall six (6) feet in height as measured from the highest adjacent grade shall be erected and maintained between such uses and the residential zone. Alternatives to masonry, including double-sided solid wood fencing, stuccoed wood frame walls, native stone or rock veneered walls or an adequate vegetative buffer, may be approved by the ~~Director of Community Development~~ **TOWN MANAGER, HIS/HER DESIGNEE** or the Planning and Zoning Commission.

D. Wherever off-street parking areas are situated across the street from property in a G, AR, RR, RS or RM Zone, a masonry wall or berm three feet in height shall be erected between the required landscaped area and the parking area to adequately screen said parking areas from the residential properties.

E. All required landscaping shall be permanently maintained in a neat and orderly condition. In addition to front and street side yard landscaping requirements, additional landscaping requirements are contained in Section 15.3 - Site Development Standards for Off-Street Parking.

F. All mechanical equipment, including heating and air conditioning units, shall be completely screened from surrounding properties by use of a wall or fence or shall be enclosed within a building. Facilities for the operation of solar or alternate energy systems may be exempted from this requirement subject to the approval of the ~~Director of Community Development~~ **TOWN MANAGER OR DESIGNEE**.

G. Trash receptacles enclosed with solid masonry walls and with gates shall be provided for each commercial use. Said receptacles shall be set back a minimum of 20 feet from any G, AR, RR, RS or RM Zone boundary and shall be maintained in a neat and sanitary condition in order to

safeguard the health, safety and general welfare of adjacent properties subject to the approval of ~~the Director of Community Development.~~ TOWN MANAGER OR DESIGNEE.

H. Noise shall not be **KNOWINGLY** generated by any use to the point of disturbing the peace, quiet and comfort of neighboring residences or the operation of businesses.

I. Methods of screening for outdoor storage may include acceptable wooden fencing, masonry walls, rock walls, landscaped berms or vegetative screening. All facilities for outdoor storage shall be subject to the review and approval of the Planning and Zoning Commission.

J. All outdoor area lighting and aerial mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source.

K. All lighting sources shall be aimed or shielded so that the direct illumination shall be confined to the property boundaries of the light source.

L. The operation of searchlights or similar lighting sources for advertising display or any other commercial purpose is prohibited.

M. Ground mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise.

N. A building permit, as required by the Building Code, shall be obtained prior to the construction, reconstruction, alteration of change in use of any building or other structure.

O. The outdoor storage of any items, including but not limited to items for sale, unlicensed and/or inoperable vehicles, travel trailers, boats, recreational vehicles, or secondhand materials is prohibited, unless a conditional use permit is approved by the Planning and Zoning Commission for said outdoor storage.

P. OUTDOOR MUSIC IN AN OUTDOOR DINING AREA SHALL BE MAINTAINED SO AS NOT TO DISTURB THE PEACE, QUIET AND COMFORT OF NEIGHBORING BUSINESSES OR RESIDENTS. ALL OUTDOOR LIVE OR RECORDED MUSIC SHALL CEASE AT 10:00 PM.

Section 11.4: Signs: Commercial Zones

No sign or outdoor advertising structure shall be permitted in any commercial zone except as provided in Section 16.

Section 11.5: Accessory Structures: Commercial Zones

A. In any commercial zone, accessory structures shall not be located in front of the main building.

B. In any commercial zone, accessory structures shall meet all of the setback requirements for main buildings.

C. In any commercial zone, porches, steps, architectural features such as attached canopies or eaves, chimneys, balconies or stairways may not project more than four feet into any required yard area. Greater projections may be permitted when it is demonstrated that such additional projections are needed for solar or alternate energy purposes, subject to the approval of the ~~Director of Community Development.~~ **TOWN MANAGER OR DESIGNEE.**

D. In any commercial zone, detached canopies shall be considered accessory structures and shall meet all of the setback requirements for main buildings. No portion of the canopy shall extend into the setback areas. Canopies may be located in front of the main building outside the required front and street-side landscape areas.

E. The use of mobile homes, semi-trailers, railroad cars, shipping containers, travel trailers, camper shells, or similar units as accessory structures is prohibited. Metal storage containers may be permitted, refer to Section 14.7.

F. For the purpose of this Section, swimming pools shall be considered to be a detached structure. Swimming pools including all accessory or appurtenant structures and equipment shall maintain a minimum setback of five feet from all property lines and buildings. As a precaution against unauthorized use, swimming pools shall be enclosed by a wall or fence not less than 5 feet in height ~~to the specifications of the Department of Community Development~~ **IN ACCORDANCE WITH THE REQUIREMENTS OF THE TOWN.**

Section 11.6: Walls and Fences: Commercial Zones

A. In any required front or street side yard area, an opaque or solid wall or fence shall not exceed three (3) feet in height. Non-opaque fences, which are at least 50% transparent, may be established in any required front or street side yard area to a maximum height of six (6) feet.

B. A wall or solid fence not more than six feet in height, as measured from the highest adjacent grade, may be maintained along the interior side or rear lot lines provided that such wall or fence does not extend into a required front or street side yard. Extensions of walls or solid fences into required front or street side yards may not exceed three (3) feet in height. Stacking firewood along a property line shall be considered a wall or fence and must meet height limits.

C. Walls or fences exceeding six feet in height may be permitted only through the variance procedure set forth in Section 20 and subject to the granting of a building permit.

D. A wall or fence adjacent to a driveway providing vehicular access to an abutting lot shall not exceed three (3) feet in height within fifteen (15) feet of the intersection of said driveway and the street right-of-way so as not to obstruct visibility.

E. The provisions of this Section shall not apply to a wall or fence required by any law or regulation of the State of Arizona or any agency thereof.

F. Barbed wire, electrical fences, glass or other similar hazardous objects on top of walls and fences in commercial zones may be permitted subject to the approval of the ~~Director of Community Development~~ **TOWN MANAGER, HIS/HER DESIGNEE** or the Planning and Zoning Commission.

G. Tires may not be used to construct walls, unless they are fully encapsulated so as to prevent the accumulation of water inside the tires, and subject to the granting of a building permit.